IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

W.P.(C).No. 34306 of 2006(H)

PETITIONER:

K.K.KARTHIYAYANIKUTTY,
AGED 54 YEARS, W/O.LATE MR.SIVADASAN,
ALIYATH HOUSE, KAKKAD COLONY,
MAMALA P.O., ERNAKULAM.

BY ADV. SRI.A.CHERIAN

RESPONDENTS:

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1. STATE OF KERALA,
   REP. BY CHIEF SECRETARY,
   THIRUVANANTHAPURAM.

2. S.I. OF POLICE,
   PUTHENKURISH POLICE STATION.

BY GOVERNMENT PLEADER SRI GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J

W.P(C).No.34306 of 2006

Dated this the 19th day of February, 2007

JUDGMENT

There is no representation for the petitioner today also. The same was the situation on the last two days' posting also. As directed by the Court, the Investigating Officer, ie. the 3rd respondent has filed a statement.

2. The grievance of the petitioner is that her husband was killed in a road traffic accident at 9.15 p.m on 03.03.2006. It was a case of hit and run. The injured was taken to the hospital. He was declared dead. A crime was registered. But the investigation of the crime has not led to any tangible results. The vehicle involved in the accident has not been ascertained yet. No clues could be gathered about the vehicle which was involved in the accident. In these circumstances, a report has been submitted to the Court to inform the Court that the case remains undetected. The Investigating Officer submits that earnest efforts are being taken to trace out the vehicle involved in the accident. If any relevant information is obtained, the case shall be reopened and further investigations shall be conducted.

3. The petitioner had made allegations raising the suspicion that one Tavera vehicle bearing registration No.KL17 B 9361 is the vehicle involved in the crime. The Investigating Officer reports that

after doing the necessary verification and cross checking, the investigator is satisfied that, that is not the vehicle involved in the accident.

4. In the circumstances referred above, I do not find any justification in the contention raised that a proper investigation has not been conducted. I am satisfied that no further directions need be issued. The 2nd respondent shall continue the efforts to resolve the mystery of the crime and identify the vehicle involved in the accident.

5. This Writ Petition is, in these circumstances, dismissed with the above observations.

(R.BASANT, JUDGE)

rtr/-